

**APPLICATION FOR PERMISSION TO CHANGE POINT OF DIVERSION, MANNER
OF USE AND PLACE OF USE OF THE PUBLIC WATERS OF THE STATE OF
NEVADA HERETOFORE APPROPRIATED**

Date of filing in State Engineer's Office APR 28 2004

Returned to applicant for correction _____

Corrected application filed _____

Map filed MAY 24 2004

The applicant **Rebel Creek Ranch Corporation** hereby makes application for permission to change the **point of diversion and place of use** of water heretofore appropriated under **Permit 45205 Certificate 16143**

1. The source of water is **Mine Spring**
2. The amount of water to be changed **0.0156 CFS**
3. The water to be used for **stockwater for 500 head of cattle**
4. The water heretofore permitted for **stockwater for 500 head of cattle**
5. The water is to be diverted at the following point **within the NE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 5, T43N. R.38E., MDB&M, or at a point from which the W $\frac{1}{4}$ corner of said Section 5 bears N 79°21' W 1485.0 feet**
6. The existing permitted point of diversion is located within **the SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 5, T.43N., R.38E., MDB&M or at a point from which the NW corner of Section 1, T.43N., R.37E., MDB&M bears N 69°15' W a distance of 12,053.0 feet**
7. Proposed place of use **NE $\frac{1}{4}$ SW $\frac{1}{4}$ Section 5, T43N., R38E., MDB&M**
8. Existing place of use **SW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 5, T43N., R.38E., MDB&M**
9. Use will be from **January 1 to December 31** of each year.
10. Use was permitted from **January 1 to December 31** of each year.
11. Description of proposed works **pipeline from mine drift to 4'X15' metal water trough.**
12. Estimated cost of works **complete**
13. Estimated time required to construct works **complete**
14. Estimated time required to complete the application of water to beneficial use **1 year**
15. Remarks: **A recent Survey found that the original Survey tie was in error. This application is being filed to correct that error.**

Desert Mountain Surveying as agent
By **John H. Milton III, PLS, SWRS**
s/John H. Milton III
146 West Second Street
Winnemucca, NV 89445

Compared cmf/sam dl/gl

Protested _____

APPROVAL OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This permit to change the point of diversion and place of use of waters of Mine Spring as heretofore granted under Permit 45205, Certificate 16143, is issued subject to the terms and conditions imposed in said Permit 45205, Certificate 16143, and with the understanding that no other rights on the source will be affected by the change proposed herein. It is understood that the amount of water herein granted is only a temporary allowance and that the final water right obtained under this permit will be dependent upon the period of use and the average number of livestock served from the waters of this source. The State retains the right to regulate the use of the water herein granted at any and all times but does not take responsibility for the use of the Federal range.

This permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

This permit is subject to the condition that the permittee must ensure that wildlife which have customarily used such water will have access thereto, NRS 533.367.

The issuance of this permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies.

(CONTINUED ON PAGE 3)

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed 0.0156 cubic feet per second, or sufficient to water 500 cattle.

Work must be prosecuted with reasonable diligence and be completed on or before:

February 9, 2006

Proof of completion of work shall be filed on or before:

March 9, 2006

Water must be placed to beneficial use on or before:

February 9, 2007

Proof of the application of water to beneficial use shall be filed on or before:

March 9, 2007

Map in support of proof of beneficial use shall be filed on or before:

N/A

IN TESTIMONY WHEREOF, I, HUGH RICCI, P.E.,

State Engineer of Nevada, have hereunto set
my hand and the seal of my office,

this 9th day of February, A.D. 2005


State Engineer

Completion of work filed _____

Proof of beneficial use filed _____

Cultural map filed N/A

Certificate No. _____ Issued _____

